

The synopsis of the amendment in question reads as follows:

"The purpose of this amendment is to grant to the electors of the state such control over the expenditure of public funds, that they may by the exercise of the referendum, increase or decrease the salary of any public official or employee, abolish any position in the public service that they deem unnecessary, sell any public office to the lowest bidder, curtail or abolish any specific expense or law fixing a price or an item in the current budget of any political subdivision or the state as a whole."

I find no provision in the amendment as to selling any public office to the lowest bidder. The provision for this has been stricken out of the text of the amendment. The synopsis is, therefore, not a fair and truthful summary of the contents and purposes of the proposed amendment.

Before it may be said that a synopsis of the amendment which you propose is "a fair and truthful summary of the contents and purposes of such proposed * * * amendment" some information should be contained therein as to the present constitutional provisions which will be rendered inoperative. This is one of the purposes of the proposed amendment. It is possibly one of the most important purposes.

I am, accordingly, unable to execute my certificate as requested with respect to the synopsis.

It should be observed that the function of the Attorney General under the law is not to pass upon the wisdom or unwisdom of a proposed amendment. His function with respect to the amendment is to pass upon its form. With respect to the synopsis, his function is to determine that it is a fair and truthful summary of the contents and purposes of the proposed law or amendment so that the electors in passing judgment thereon may be clearly apprised of the proposed change in the law and its purposes.

Respectfully,
GILBERT BETTMAN,
Attorney General.

3435.

APPROVAL, THREE LEASES TO RESERVOIR LAND AT BUCKEYE LAKE—F. L. HEIBERT.

COLUMBUS, OHIO, July 16, 1931.

HON. I. S. GUTHERY, *Director, Department of Agriculture, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge receipt of a communication from your department over the signature of the Chief of the Bureau of Inland Lakes and Parks of the Division of Conservation, submitting for my examination and approval three certain reservoir land leases in triplicate, by which there are leased and demised to one F. L. Heibert of Lancaster, Ohio, for terms of fifteen years each, three certain parcels of state reservoir lands at Buckeye Lake, the same being lots Nos. 6, 10, and 11, respectively, of the Abdalla, VanGundy and Heibert's Subdivision of C. M. Wagner's allotment of lands at Summerland Beach.

The annual rentals provided for in said leases are 6% of the valuations of the

parcels of lands leased, which valuations are the sums of \$600.00, \$500.00 and \$500.00, respectively.

Upon examination of said leases, I find that the same have been properly executed by the Conservation Commissioner and by said F. L. Heibert, the lessee named in said several leases.

Upon examination of the terms and provisions of said leases and of the conditions and reservations therein contained, I find the same to be in conformity with the provisions of Section 471, General Code, under the authority of which these leases are executed, and with other statutory provisions relating to leases of this kind.

I am accordingly approving said leases as to legality and form, and my approval is endorsed upon said leases and upon the duplicate and triplicate copies thereof, all of which are herewith returned.

Respectfully,
GILBERT BETTMAN,
Attorney General.

3436.

APPROVAL, ABSTRACT OF TITLE TO LAND IN ST. MARYS TOWNSHIP, AUGLAIZE COUNTY, OHIO.

COLUMBUS, OHIO, July 16, 1931.

HON. JOSEPH T. TRACY, *Auditor of State, Columbus, Ohio.*

DEAR SIR:—Under date of June 29, 1931, I directed Opinion No. 3373 to Hon. I. S. Guthery, Director of Agriculture, approving, subject to certain exceptions therein noted, the title to three certain contiguous tracts containing 2.18 acres, 3.57 acres and 2.38 acres of land, respectively, located in St. Marys Township, Auglaize County, Ohio.

The exceptions to the title to this land noted in said opinion were (1) a mortgage upon said property in the sum of \$445.00 held by the First National Bank of St. Marys, Ohio, and (2) the taxes on said property for the last half of the year 1930, and the undetermined taxes on the property for the year 1931.

I have just received said mortgage by communication from the Western Ohio Fish and Game Association. This mortgage carries a notation thereon over the signatures of the president and cashier of the First National Bank of St. Marys to the effect that the conditions of said mortgage have been complied with, and that the same is satisfied and discharged. It further appears from said mortgage instrument that the same was canceled of record on July 2, 1931. I am also in receipt of receipts issued by the treasurer of Auglaize County showing that the said taxes for the last half of the year 1930 have been paid.

The title to said property is accordingly hereby approved by me, subject only to the exception arising out of the fact that the undetermined taxes for the year 1931 are a lien upon this property.

I am herewith enclosing the corrected abstract of title and other files relating to the purchase of the above described property.

Respectfully,
GILBERT BETTMAN,
Attorney General.